

Serial No.: 10/781,539
Amendment filed March 1, 2006
Response to Office Action mailed December 1, 2005

REMARKS/ARGUMENTS

The Office Action mailed December 1, 2005, has been carefully reviewed and this paper is Applicant's response thereto. Claims 1-33 are pending. Claims 18, 20, 23 and 32 are amended. The drawings were objected for failing to show features of claim 10. Claims 1-2, 4-5, 8-15, 20-22 and 29-33 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,250,720 to Entrop *et al.* (Entrop). Claims 23-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Entrop. Claims 3, 6-7, 10, 16 and 18-19 were rejected under 35 U.S.C. § 102(a) as being unpatentable over Entrop in view of U.S. Patent No. 4,516,197 to Yonkers *et al.* (Yonkers). In response, Applicant respectfully traverses the rejection as discussed below.

Objection to the Drawings

The drawings were objected for not showing the first and second slopes as recited in claim 10. Referring to Figure 5, the edge 205 has an angle 210 and the edge 206 has an angle 211. Furthermore, the specification as filed provided antecedent basis for the term "slope" on page 6, paragraph 25. Accordingly, the drawings are believed to meet the requirements of 37 C.F.R. 1.83(a).

Amendments to the Claims

Applicant would like to thank the Examiner for pointing out typographical errors in the claims. In response, Applicant has amended the claims to correct the typographical errors and believes the reasons for the objection have been obviated.

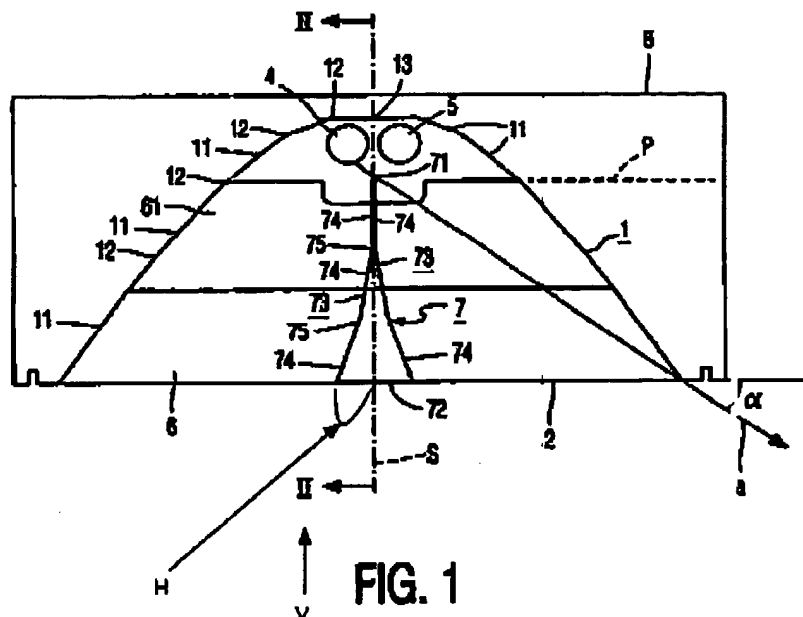
Rejection under 35 U.S.C. § 102(b) – Entrop

Claims 1-2, 4-5, 8-15, 20-22 and 29-33 were rejected under 35 U.S.C. § 102(b) as being anticipated by Entrop. Claims 1, 20, and 29 are independent.

Looking at independent claim 1, it recites "a light shield... the light shield comprising a center, a first side having a first outer edge, a first path and a first plurality of coverage zones... wherein each coverage zone has a light blocking area corresponding to the amount of light blocked from the light source..., wherein the plurality of light blocking areas on the first side

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Entrop discloses a luminaire with a concave reflector 1 facing a prismatic reflector element 7. (Entrop, Abstract & Fig. 1). Figure 1 of Entrop with markups is provided below:



In addition, if Entrop is read to have a first path extending from S in Figure 1 in the direction II to the edge of base 72 of the prismatic reflector 7, then the light blocked by the prismatic reflector 7 over the portion H of the prismatic reflector does not vary but is 100 percent. In contrast, independent claim 1 recites "wherein the plurality of light blocking areas on

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the first side decreasing block light along the first path." Plainly, as Entrop discloses a single light blocking area that block all the light and extends from the center S to the edge of the base 72 of the prismatic reflector 7, this feature is simply absent from Entrop.

Therefore, for at least the above reasons, Entrop fails to disclose (or suggest or teach) all the limitations of independent claim 1. As Entrop fails to disclose all the limitations of claim 1, Entrop cannot be said to anticipate claim 1.

Claims 2, 4-5, and 8-15 depend from independent claim 1 and are not anticipated by Entrop for at least the reasons discussed above with respect to claim 1 and for the additional limitations recited therein.

Independent claim 20 recites "a light shield mounted to the fixture ... wherein a percentage of light from the light source can pass through the light shield at the center." The Office Action is reading the prismatic reflector 7 as being the light shield. As can be appreciated from the prismatic reflector 7 depicted in Figure 1 of Entrop (provided above), the prismatic reflector does not include apertures and, therefore, no light can pass through the prismatic reflector at its center. Thus, looking in the direction V at the center of prismatic reflector 7 (as depicted in the Figure 1, provided above), one would not see light passing through the prismatic reflector 7. While the Office Action has suggested otherwise, Applicant submits that this assertion is unsupported. After reviewing Entrop, Applicant has been unable to discover any discussion, suggestion or teaching of apertures in the prismatic reflector 7. If the Examiner disagrees, the Examiner is requested to point to the specific portion of Entrop that can be fairly read to disclose apertures in the prismatic reflector 7 that would allow light to pass through the center of the prismatic reflector 7. Otherwise, Entrop fails to disclose all the limitations of claim 20. As Entrop fails to disclose all the limitations of claim 20, Entrop cannot be said to anticipate claim 20.

Claims 21-22 depend from claim 20 and are not are not anticipated by Entrop for at least the reasons discussed above with respect to claim 20 and for the additional limitations recited therein.

Independent claim 29 recites the step of "using a light shield having a center and an outer edge to decreasingly shield a percentage of the light source along a path from the center to the outer edge." As noted above, the Office Action is reading the prismatic reflector 7 as being a

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light shield. Entrop fails to disclose apertures in the prismatic reflector and does not decreasingly shield a percentage of light. Instead, the prismatic reflector 7 shields all light between the center S and the outer edge of the base 72 and Entrop uses the shape of the prismatic reflector 7 and the concave reflector to redirect light. Therefore, Entrop fails to disclose all the features of claim 29.

Claims 30-32 depend from claim 29 and are not anticipated by Entrop for at least the reasons discussed above with respect to claim 29 and for the additional limitations recited therein.

Accordingly, withdrawal of this ground of rejection is respectfully requested.

Rejection under 35 U.S.C. § 103(a) – Entrop

Claims 23-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Entrop. The Office Action suggests that it would be an obvious design choice to modify the fixture of Entrop so that it had a 1.5 inch thickness. However, the Office Action has provided no support for this assertion. Nor has the Office Action explained how the prismatic reflector 7 and the concave reflector 1 could be modified based on the teachings provided in Entrop so as to provide the intended light distribution of Entrop (see Entrop, Figure 3) when the fixture of Entrop was made with a thickness of 1.5 inches. Applicant respectfully submits that because of the dual prismatic reflector 7 and concave reflector 1 design, a person of ordinary skill would have no expectation of successfully modifying Entrop so that it was 1.5 inches thick while still functioning as intended based on the disclosure of Entrop. Indeed, the long standing desire for a luminaire with a maximum thickness of 1.5 inches for the reasons noted by the Examiner provides additional support for the nonobviousness of the claims 23-28 because this desire was not met prior to the disclosure in the present application.

Accordingly, withdrawal of this ground of rejection is respectfully requested.

Rejection under 35 U.S.C. § 103(a) – Entrop & Yonkers

Claims 3, 6-7, 10, 16, and 18-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Entrop in view of Yonkers. These claims, however, depend from independent claim 1, and, as discussed above, Entrop fails to disclose, suggest or teach all the limitations of claim 1. The Office Action has not suggested that Yonkers corrects the deficiencies of claim 1,

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nor does Yonkers appear to be able to do so. Accordingly, the combination of Entrop and Yonkers fails to support a *prima facie* case of obviousness with respect to claim 1. See MPEP 706.02(j) ("To establish a *prima facie* case of obviousness, three basic criteria must be met. ... [Third], the prior art reference[s] ... must teach or suggest all the claim limitations.'). As the combination of Entrop and Yonkers fails to support a *prima facie* case of obviousness with respect to claim 1, claims 3, 6-7, 10, 16 and 18-19 are necessarily nonobvious for the reasons discussed above with respect to claim 1 and for the additional limitations recited therein.

Accordingly, withdrawal of this ground of rejection is respectfully requested.

CONCLUSION

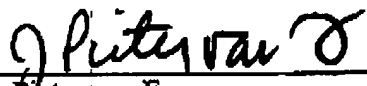
As all rejections have been addressed, Applicants respectfully request reconsideration of the application and allowance of all pending claims.

Respectfully submitted,

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